
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In Re:)	Case No.: 16-33624
)	
Hilary Maumbe)	Chapter 13
Lulu Mwansa)	
Debtor(s).)	Judge Jack B. Schmetterer

NOTICE OF MOTION

TO: Hilary Maumbe and Lulu Mwansa, 1471 Walnut Ave. Hanover Park, IL 60133 *via mail*

Trustee Tom Vaughn, 55 E. Monroe Street, #3850, Chicago, IL 60603 *via ECF clerk's electronic delivery system*

U.S. Trustee, 219 S. Dearborn Suite 873, Chicago IL 60604 *via ECF clerk's electronic delivery system*

See attached service list

PLEASE TAKE NOTICE that on **November 15, 2017 at 10:00 am** I shall appear before the Honorable Judge Jack B. Schmetterer at the Dirksen Federal Court, 219 S. Dearborn, Courtroom 682, Chicago, Illinois 60604 or any judge presiding and then and there present the **Motion**, a copy of which is attached hereto.

By: /s/ David H. Cutler
David H. Cutler

CERTIFICATE OF SERVICE

I, David H. Cutler, hereby certify that I caused to be served, electronically or through U.S. Mail, a copy of the foregoing Notice and Motion upon the parties named above on October 25, 2017 before the hour of 8:00 p.m.

By: /s/ David H. Cutler
David H. Cutler, esq.
Counsel for Debtor(s)
Cutler & Associates, Ltd.
4131 Main St.
Skokie, IL 60076
Phone: (847) 673-8600

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MOTION TO MODIFY PLAN POST CONFIRMATION

NOW COME the Debtors, Hilary Maumbe and Lulu Mwansa (hereafter referred to as “the Debtors”), by and through their attorneys, The Law Offices of Cutler & Associates, Ltd., to present this Motion and state as follows:

1. This Court has jurisdiction over this proceeding pursuant to 28 USC 1334 and this is a "core proceeding" under 28 USC 157(b)(2).
2. The Debtors filed for relief under Chapter 13 of the United States Bankruptcy Code on October 21, 2016 and their Plan was confirmed.
3. This Honorable Court confirmed the Debtors’ Chapter 13 plan on March 22, 2017. The confirmed plan provided for monthly payments of \$860 for 4 months then \$741 for 56 months with unsecured creditors 10% on their claims.
4. The Debtors have paid in \$5,968 into the Chapter 13 plan.
5. The Debtors fell behind on the trustee payments and have a default of \$3,400 as of the date of this motion.
6. The Debtors fell behind on the plan payments because they had to pay immigration fees; they incurred expenses for their green cards and required medical exams for immigration and had to pay \$2,800 out of pocket.

7. The Debtors are able to make their plan payments going forward but they are not able to catch up on the full default amount.
8. The Debtors seek to modify the plan to raise the monthly plan payment to \$816 a month to account for the default and to defer the current trustee's default to the end of the Plan.
9. The Debtors are able to afford the new slight increase in plan payments by decreasing the amount they contribute to the support of their elderly parents since the debtor's other siblings are now in a position to help them.

WHEREFORE, the Debtors respectfully request that this Court modify the Debtors' Plan Post Confirmation to raise the plan payment to \$816 a month beginning November 2017 and to defer the current default until the end of the plan; and for such further relief that this Court may deem just and proper.

Dated: October 25, 2017

Respectfully Submitted,

By: /s/ David H. Cutler
David H. Cutler, esq.,
Counsel for Debtor(s):
Cutler & Associates, Ltd.
4131 Main St.
Skokie, IL 60076
Phone: (847) 673-8600